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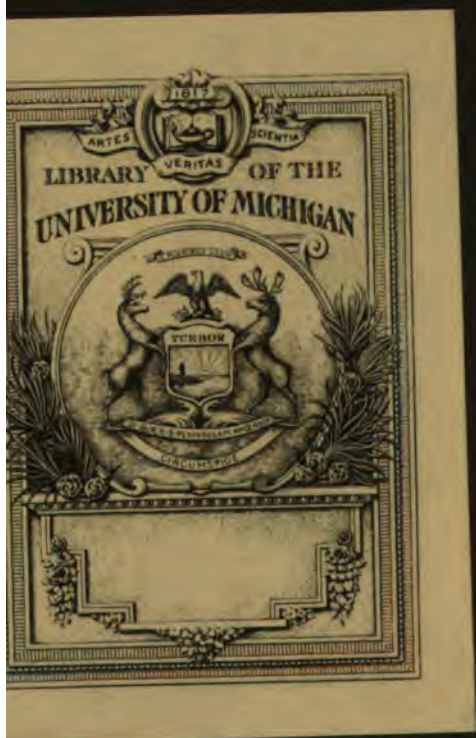
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The Federal Antitrust Law

WITH AMENDMENTS

List of Cases Instituted by the United States

AND

**Citations of Cases Decided Thereunder
or Relating Thereto**

JANUARY 1, 1914



**WASHINGTON
1914**



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Reclass. 2-21-30 A V M.

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THE FEDERAL ANTITRUST LAW.

[Act of July 2, 1890 (26 Stat., 209.)]

AN ACT To protect trade and commerce against unlawful restraints and monopolies.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1. Every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several States, or with foreign nations, is hereby declared to be illegal. Every person who shall make any such contract or engage in any such combination or conspiracy, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by fine not exceeding five thousand dollars, or by imprisonment not exceeding one year, or by both said punishments, in the discretion of the court.

SEC. 2. Every person who shall monopolize, or attempt to monopolize, or combine or conspire with any other person or persons, to monopolize any part of the trade or commerce among the several States, or with foreign nations, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by fine not exceeding five thousand dollars, or by imprisonment not exceeding one year, or by both said punishments, in the discretion of the court.

SEC. 3. Every contract, combination in form of trust or otherwise, or conspiracy, in restraint of trade or commerce in any Territory of the United States or of the District of Columbia, or in restraint of trade or commerce between any such Territory and another, or between any such Territory or Territories and any State or States or the District of Columbia, or with foreign nations, or between the District of Columbia and any State or States or foreign nations, is hereby declared illegal. Every person who shall make any

such contract or engage in any such combination or conspiracy, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by fine not exceeding five thousand dollars, or by imprisonment not exceeding one year, or by both said punishments, in the discretion of the court.

SEC. 4. That several circuit courts of the United States are hereby invested with jurisdiction to prevent and restrain violations of this act; and it shall be the duty of the several district attorneys of the United States, in their respective districts, under the direction of the Attorney General, to institute proceedings in equity to prevent and restrain such violations. Such proceedings may be by way of petition setting forth the case and praying that such violation shall be enjoined or otherwise prohibited. When the parties complained of shall have been duly notified of such petition the court shall proceed, as soon as may be, to the hearing and determination of the case; and pending such petition and before final decree, the court may at any time make such temporary restraining order or prohibition as shall be deemed just in the premises.

SEC. 5. Whenever it shall appear to the court before which any proceeding under section four of this act may be pending, that the ends of justice require that other parties should be brought before the court, the court may cause them to be summoned, whether they reside in the district in which the court is held or not; and subpoenas to that end may be served in any district by the marshal thereof.

SEC. 6. Any property owned under any contract or by any combination, or pursuant to any conspiracy (and being the subject thereof) mentioned in section one of this act, and being in the course of transportation from one State to another, or to a foreign country, shall be forfeited to the United States, and may be seized and condemned by like proceedings as those provided by law for the forfeiture, seizure, and condemnation of property imported into the United States contrary to law.

SEC. 7. Any person who shall be injured in his business or property by any other person or corporation by reason of anything forbidden or declared to be unlawful by this act,

may sue therefor in any circuit court of the United States in the district in which the defendant resides or is found, without respect to the amount in controversy, and shall recover threefold the damages by him sustained, and the costs of suit, including a reasonable attorney's fee.

SEC. 8. That the word "person," or "persons," wherever used in this act shall be deemed to include corporations and associations existing under or authorized by the laws of either the United States, the laws of any of the Territories, the laws of any State, or the laws of any foreign country.

**ANTITRUST AMENDMENTS TO THE WILSON TARIFF ACT
OF AUGUST 27, 1894—SECTIONS 73-77.**

[28 Stat., 570.]

SEC. 73. That every combination, conspiracy, trust, agreement, or contract is hereby declared to be contrary to public policy, illegal, and void, when the same is made by or between two or more persons or corporations either of whom is engaged in importing any article from any foreign country into the United States, and when such combination, conspiracy, trust, agreement, or contract is intended to operate in restraint of lawful trade, or free competition in lawful trade or commerce, or to increase the market price in any part of the United States of any article or articles imported or intended to be imported into the United States, or of any manufacture into which such imported article enters or is intended to enter. Every person who is or shall hereafter be engaged in the importation of goods or any commodity from any foreign country in violation of this section of this act, or who shall combine or conspire with another to violate the same, is guilty of a misdemeanor, and on conviction thereof in any court of the United States such person shall be fined in a sum not less than one hundred dollars and not exceeding five thousand dollars, and shall be further punished by imprisonment, in the discretion of the court, for a term not less than three months nor exceeding twelve months.

SEC. 74. That the several circuit courts of the United States are hereby invested with jurisdiction to prevent and restrain violations of section seventy-three of this act; and it shall be the duty of the several district attorneys of the United States, in their respective districts, under the direction of the Attorney General, to institute proceedings in equity to prevent and restrain such violations. Such proceedings may be by way of petitions setting forth the case and praying that such violations shall be enjoined or otherwise prohibited. When the parties complained of shall have been duly notified of such petition the court shall proceed, as soon as may be, to the hearing and determination of the case; and pending such petition and before final decree, the court may at any time make such temporary restraining order or prohibition as shall be deemed just in the premises.

SEC. 75. That whenever it shall appear to the court before which any proceeding under the seventy-fourth section of this act may be pending that the ends of justice require that other parties should be brought before the court, the court may cause them to be summoned, whether they reside in the district in which the court is held or not; and subpoenas to that end may be served in any district by the marshal thereof.

SEC. 76. That any property owned under any contract or by any combination, or pursuant to any conspiracy (and being the subject thereof) mentioned in section seventy-three of this act, and being in the course of transportation from one State to another, or to or from a Territory or the District of Columbia, shall be forfeited to the United States, and may be seized and condemned by like proceedings as those provided by law for the forfeiture, seizure, and condemnation of property imported into the United States contrary to law.

SEC. 77. That any person who shall be injured in his business or property by any other person or corporation by reason of anything forbidden or declared to be unlawful by this act, may sue therefor in any circuit court of the United States in the district in which the defendant resides or is found, without respect to the amount in controversy, and shall recover threefold the damages by him sustained, and the cost of suit, including a reasonable attorney's fee.

AMENDMENTS TO ABOVE SECTIONS OF WILSON TARIFF ACT.

[Act. of Feb. 12, 1913 (37 Stat., 667.)]

AN ACT To amend section seventy-three and seventy-six of the act of August twenty-seventh, eighteen hundred and ninety-four, entitled "An act to reduce taxation, to provide revenue for the Government, and for other purposes."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section seventy-three and section seventy-six of the act of August twenty-seventh, eighteen hundred and ninety-four, entitled "An act to reduce taxation, to provide revenue for the Government, and for other purposes," be, and the same are hereby, amended to read as follows:

"SECTION 73. That every combination, conspiracy, trust, agreement, or contract, is hereby declared to be contrary to public policy, illegal, and void when the same is made by or between two or more persons or corporations either of whom, as agent or principal, is engaged in importing any article from any foreign country into the United States, and when such combination, conspiracy, trust, agreement, or contract is intended to operate in restraint of lawful trade, or free competition in lawful trade or commerce, or to increase the market price in any part of the United States of any article or articles imported or intended to be imported into the United States, or of any manufacture into which such imported article enters or is intended to enter. Every person who is or shall hereafter be engaged in the importation of goods or any commodity from any foreign country in violation of this section of this act, or who shall combine or conspire with another to violate the same, is guilty of a misdemeanor, and on conviction thereof in any court of the United States such person shall be fined in a sum not less than one hundred dollars and not exceeding five thousand dollars, and shall be further punished by imprisonment, in the discretion of the court, for a term not less than three months nor exceeding twelve months."

"SECTION 76. That any property owned under any contract or by any combination, or pursuant to any conspiracy, and being the subject thereof, mentioned in section seventy-

three of this act, imported into and being within the United States or being in the course of transportation from one State to another, or to or from a Territory or the District of Columbia, shall be forfeited to the United States, and may be seized and condemned by like proceedings as those provided by law for the forfeiture, seizure, and condemnation of property imported into the United States contrary to law."

SUNDRY CIVIL ACT—1914.

[Public—No. 3. June 23, 1913.]

AN ACT Making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes.

* * * * *

Enforcement of antitrust laws, including not exceeding \$10,000 for salaries of necessary employees at the seat of government, \$300,000: *Provided, however,* That no part of this money shall be spent in the prosecution of any organization or individual for entering into any combination or agreement having in view the increasing of wages, shortening of hours, or bettering the conditions of labor, or for any act done in furtherance thereof not in itself unlawful: *Provided further,* That no part of this appropriation shall be expended for the prosecution of producers of farm products and associations of farmers who cooperate and organize in an effort to and for the purpose to obtain and maintain a fair and reasonable price for their products. * * *

EXPEDITING ACT OF 1903.

[32 Stat., 823.]

AN ACT To expedite the hearing and determination of suits in equity pending or hereafter brought under the act of July second, eighteen hundred and ninety, entitled "An act to protect trade and commerce against unlawful restraints and monopolies," "An act to regulate commerce," approved February fourth, eighteen hundred and eighty-seven, or any other acts having a like purpose that may be hereafter enacted.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in any suit in equity pending or hereafter brought in any circuit court of the United States under the act entitled "An act to protect trade and commerce against unlawful restraints and monopolies," approved July second, eighteen hundred and ninety, "An act to regulate commerce," approved February fourth, eighteen hundred and eighty-seven, or any other acts having a like purpose that hereafter may be enacted, wherein the United States is complainant, the Attorney General may file with the clerk of such court a certificate that, in his opinion, the case is of general public importance, a copy of which shall be immediately furnished by such clerk to each of the circuit judges of the circuit in which the case is pending. Thereupon such case shall be given precedence over others and in every way expedited, and be assigned for hearing at the earliest practicable day, before not less than three of the circuit judges of said circuit, if there be three or more; and if there be not more than two circuit judges, then before them and such district judge as they may select. In the event the judges sitting in such case shall be divided in opinion, the case shall be certified to the Supreme Court for review in like manner as if taken there by appeal as hereinafter provided.

SEC. 2. That in every suit in equity pending or hereafter brought in any circuit court of the United States under any of said acts, wherein the United States is complainant, including cases submitted but not yet decided, an appeal from the final decree of the circuit court will lie only to the Supreme Court, and must be taken within sixty days from the entry thereof: *Provided*, That in any case where an appeal may have been taken from the final decree of a circuit court to the circuit court of appeals before this act takes effect, the case shall proceed to a final decree therein, and an appeal may be taken from such decree to the Supreme Court in the manner now provided by law.

Approved, February 11, 1903.

EXPEDITING ACT OF 1910.

[36 Stat., 854.]

AN ACT To amend an act entitled "An act to expedite the hearing and determination of suits in equity pending or hereafter brought under the act of July second, eighteen hundred and ninety, entitled 'An act to protect trade and commerce against unlawful restraints and monopolies,' 'An act to regulate commerce,' approved February fourth, eighteen hundred and eighty-seven, or any other acts having a like purpose that may be hereafter enacted," approved February eleventh, nineteen hundred and three.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section one of the act entitled "An act to expedite the hearing and determination of suits in equity pending or hereafter brought under the act of July second, eighteen hundred and ninety, entitled 'An act to protect trade and commerce against unlawful restraints and monopolies,' 'An act to regulate commerce,' approved February fourth, eighteen hundred and eighty-seven, or any other acts having a like purpose that may be hereafter enacted," approved February eleventh, nineteen hundred and three, be, and the same is hereby, amended so as to read as follows:

"That in any suit in equity pending or hereafter brought in any circuit court of the United States under the act entitled 'An act to protect trade and commerce against unlawful restraints and monopolies,' approved July second, eighteen hundred and ninety, 'An act to regulate commerce,' approved February fourth, eighteen hundred and eighty-seven, or any other acts having a like purpose that hereafter may be enacted; wherein the United States is complainant, the Attorney General may file with the clerk of such court a certificate that, in his opinion, the case is of general public importance, a copy of which shall be immediately furnished by such clerk to each of the circuit judges of the circuit in which the case is pending. Thereupon such case shall be given precedence over others and in every way expedited, and be assigned for hearing at the earliest practicable day, before not less than three of the circuit judges of said court, if there be three or more; and if there be not more than two circuit judges, then before them and such district judge as they may select; or, in case the full court shall not at any time be made

up by reason of the necessary absence or disqualification of one or more of the said circuit judges, the Justice of the Supreme Court assigned to that circuit or the other circuit judge or judges may designate a district judge or judges within the circuit who shall be competent to sit in said court at the hearing of said suit. In the event the judges sitting in such case shall be equally divided in opinion as to the decision or disposition of said cause, or in the event that a majority of said judges shall be unable to agree upon the judgment, order, or decree finally disposing of said case in said court which should be entered in said cause, then they shall immediately certify that fact to the Chief Justice of the United States, who shall at once designate and appoint some circuit judge to sit with said judges and to assist in determining said cause. Such order of the Chief Justice shall be immediately transmitted to the clerk of the circuit court in which said cause is pending, and shall be entered upon the minutes of said court. Thereupon said cause shall at once be set down for reargument and the parties thereto notified in writing by the clerk of said court of the action of the court and the date fixed for the reargument thereof. The provisions of this section shall apply to all causes and proceedings in all courts now pending, or which may hereafter be brought.

Approved, June 25, 1910.

THE JUDICIAL CODE.

"AN ACT To codify, revise, and amend the laws relating to the judiciary." (Approved March 3, 1911; in effect January 1, 1912, 36 Stat., 1087.)

SECTION 289. The circuit courts of the United States, upon the taking effect of this act, shall be and hereby are abolished. * * *

SECTION 290. All suits and proceedings pending in said circuit courts on the date of the taking effect of this act, whether originally brought therein or certified thereto from the district courts, shall thereupon and thereafter be proceeded with and disposed of in the district courts in the same manner and with the same effect as if originally begun therein. * * *

SECTION 291. Wherever, in any law not embraced within this act, any reference is made to, or any power or duty is

conferred or imposed upon, the circuit courts, such reference shall, upon the taking effect of this act, be deemed and held to refer to, and to confer such power and impose such duty upon, the district courts.

IMMUNITY PROVISION OF 1903.

[32 Stat., 854, 903.]

AN ACT Making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal ending June thirtieth, nineteen hundred and four, and for other purposes.

* * * * *

That for the enforcement of the provisions of the act entitled "An act to regulate commerce," approved February fourth, eighteen hundred and eighty-seven, and all acts amendatory thereof or supplemental thereto, and of the act entitled "An act to protect trade and commerce against unlawful restraints and monopolies," approved July second, eighteen hundred and ninety, and all acts amendatory thereof or supplemental thereto, and sections seventy-three, seventy-four, seventy-five, and seventy-six of the act entitled "An act to reduce taxation, to provide revenue for the Government, and other purposes," approved August twenty-seventh, eighteen hundred and ninety-four, the sum of five hundred thousand dollars, to be immediately available, is hereby appropriated, out of any money in the Treasury not heretofore appropriated, to be expended under the direction of the Attorney General in the employment of special counsel and agents of the Department of Justice to conduct proceedings, suits, and prosecutions under said acts in the courts of the United States: *Provided*, That no person shall be prosecuted or be subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he may testify or produce evidence, documentary or otherwise, in any proceeding, suit, or prosecution under said acts: *Provided further*, That no person so testifying shall be exempt from prosecution or punishment for perjury committed in so testifying.

* * * * *

Approved, February 25, 1903.

ACT CREATING THE BUREAU OF CORPORATIONS.

[32 Stat., 825, 827.]

AN ACT To establish the Department of Commerce and Labor.

* * * * *

SEC. 6. That there shall be in the Department of Commerce and Labor a bureau to be called the Bureau of Corporations, and a Commissioner of Corporations who shall be the head of said bureau, to be appointed by the President, who shall receive a salary of five thousand dollars per annum. There shall also be in said bureau a deputy commissioner, who shall receive a salary of three thousand five hundred dollars per annum and who shall, in the absence of the commissioner, act as and perform the duties of the Commissioner of Corporations, and who shall also perform such other duties as may be assigned to him by the Secretary of Commerce and Labor or by the said commissioner. There shall also be in the said bureau a chief clerk and such special agents, clerks, and other employees as may be authorized by law.

The said commissioner shall have power and authority to make, under the direction and control of the Secretary of Commerce and Labor, diligent investigation into the organization, conduct, and management of the business of any corporation, joint-stock company, or corporate combination engaged in commerce among the several States and with foreign nations, excepting common carriers subject to "An act to regulate commerce," approved February fourth, eighteen hundred and eighty-seven, and to gather such information and data as will enable the President of the United States to make recommendations to Congress for legislation for the regulation of such commerce, and to report such data to the President from time to time as he shall require; and the information so obtained, or as much thereof as the President may direct, shall be made public.

In order to accomplish the purposes declared in the foregoing part of this section, the said commissioner shall have and exercise the same power and authority in respect to corporations, joint-stock companies, and combinations subject to the provisions hereof as is conferred on the Interstate Commerce Commission in said "act to regulate commerce" and

the amendments thereto in respect to common carriers, so far as the same may be applicable, including the right to subpoena and compel the attendance and testimony of witnesses and the production of documentary evidence and to administer oaths. All the requirements, obligations, liabilities, and immunities imposed or conferred by said "act to regulate commerce" and by "An act in relation to testimony before the Interstate Commerce Commission," and so forth, approved February eleventh, eighteen hundred and ninety-three, supplemental to said "act to regulate commerce," shall also apply to all persons who may be subpoenaed to testify as witnesses or to produce documentary evidence in pursuance of the authority conferred by this section.

It shall also be the province and duty of said bureau, under the direction of the Secretary of Commerce and Labor, to gather, compile, publish, and supply useful information concerning corporations doing business within the limits of the United States as shall engage in interstate commerce or in commerce between the United States and any foreign country, including corporations engaged in insurance, and to attend to such other duties as may be hereafter provided by law.

* * * * *

Approved, February 14, 1903.

ACT DEFINING RIGHT OF IMMUNITY.

[34 Stat., 798.]

AN ACT Defining the right of immunity of witnesses under the act entitled "An act in relation to testimony before the Interstate Commerce Commission," and so forth, approved February eleventh, eighteen hundred and ninety-three, and an act entitled "An act to establish the Department of Commerce and Labor," approved February fourteenth, nineteen hundred and three, and an act entitled "An act to further regulate commerce with foreign nations and among the States," approved February nineteenth, nineteen hundred and three, and an act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and four, and for other purposes," approved February twenty-fifth, nineteen hundred and three.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That under the immunity provisions in the act entitled "An act in relation to testimony before the Interstate Commerce Commission," and so forth, approved February eleventh, eighteen hundred and ninety-three, in section six of the act entitled "An act to establish the Department of Commerce and Labor," approved February fourteenth, nineteen hundred and three, and in the act entitled "An act to further regulate commerce with foreign nations and among the States," approved February nineteenth, nineteen hundred and three, and in the act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and four, and for other purposes," approved February twenty-fifth, nineteen hundred and three, immunity shall extend only to a natural person who, in obedience to a subpoena, gives testimony under oath or produces evidence, documentary or otherwise, under oath.

Approved, June 30, 1906.

PANAMA CANAL ACT.

[Act of Mar. 4, 1913 (37 Stat., 560).]

AN ACT To provide for the opening, maintenance, protection, and operation of the Panama Canal, and the sanitation and government of the Canal Zone.

* * * * *

SEC. 11. That section five of the act to regulate commerce, approved February fourth, eighteen hundred and eighty-seven, as heretofore amended, is hereby amended by adding thereto a new paragraph at the end thereof, as follows:

"From and after the first day of July, nineteen hundred and fourteen, it shall be unlawful for any railroad company or other common carrier subject to the act to regulate commerce to own, lease, operate, control, or have any interest whatsoever (by stock ownership or otherwise, either directly, indirectly, through any holding company, or by stockholders or directors in common, or in any other manner) in any com-

mon carrier by water operated through the Panama Canal or elsewhere with which said railroad or other carrier aforesaid does or may compete for traffic or any vessel carrying freight or passengers upon said water route or elsewhere with which said railroad or other carrier aforesaid does or may compete for traffic; and in case of the violation of this provision each day in which such violation continues shall be deemed a separate offense."

Jurisdiction is hereby conferred on the Interstate Commerce Commission to determine questions of fact as to the competition or possibility of competition, after full hearing, on the application of any railroad company or other carrier. Such application may be filed for the purpose of determining whether any existing service is in violation of this section and pray for an order permitting the continuance of any vessel or vessels already in operation, or for the purpose of asking an order to install new service not in conflict with the provisions of this paragraph. The commission may on its own motion or the application of any shipper institute proceedings to inquire into the operation of any vessel in use by any railroad or other carrier which has not applied to the commission and had the question of competition or the possibility of competition determined as herein provided. In all such cases the order of said commission shall be final.

If the Interstate Commerce Commission shall be of the opinion that any such existing specified service by water other than through the Panama Canal is being operated in the interest of the public and is of advantage to the convenience and commerce of the people and that such extension will neither exclude, prevent, nor reduce competition on the route by water under consideration, the Interstate Commerce Commission may, by order, extend the time during which such service by water may continue to be operated beyond July first, nineteen hundred and fourteen. In every case of such extension the rates, schedules, and practices of such water carrier shall be filed with the Interstate Commerce Commission and shall be subject to the act to regulate commerce and all amendments thereto in the same manner and to the same extent as is the railroad or other common carrier controlling such water carrier or interested in any manner in its operation: *Provided*, Any application for extension under

the terms of this provision filed with the Interstate Commerce Commission prior to July first, nineteen hundred and fourteen, but for any reason not heard and disposed of before said date, may be considered and granted thereafter.

No vessel permitted to engage in the coastwise or foreign trade of the United States shall be permitted to enter or pass through said canal if such ship is owned, chartered, operated, or controlled by any person or company which is doing business in violation of the provisions of the act of Congress approved July second, eighteen hundred and ninety, entitled "An act to protect trade and commerce against unlawful restraints and monopolies," or the provisions of sections seventy-three to seventy-seven, both inclusive, of an act approved August twenty-seventh, eighteen hundred and ninety-four, entitled "An act to reduce taxation, to provide revenue for the Government, and for other purposes," or the provisions of any other act of Congress amending or supplementing the said act of July second, eighteen hundred and ninety, commonly known as the Sherman Antitrust Act, and amendments thereto, or said sections of the act of August twenty-seventh, eighteen hundred and ninety-four. The question of fact may be determined by the judgment of any court of the United States of competent jurisdiction in any cause pending before it to which the owners or operators of such ships are parties. Suit may be brought by any shipper or by the Attorney General of the United States.

* * * * *

**LIST OF CASES INSTITUTED BY THE UNITED STATES
UNDER THE FEDERAL ANTITRUST LAW.**

President Harrison's Administration, March 4, 1889, to March 4, 1893.

[WILLIAM H. MILLER, Attorney General, March 5, 1889, to March 6, 1893.]

1.

United States v. Jellico Mountain Coal Company. Suit in Circuit Court at Nashville, Tenn., October 13, 1890, against the members of the "Nashville Coal Exchange," composed of various coal-mining companies operating mines in Kentucky and Tennessee and of persons and firms dealing in coal in Nashville, formed for the purpose of fixing prices and regulating the output of coal. Upon hearing the court, on June 4, 1891, held the combination to be in violation of the antitrust law and enjoined the further carrying out of the agreement.

2.

United States v. Greenhut et al. A proceeding by indictment in District Court, Massachusetts, May 16, 1892, against the officers of the Distilling and Cattle Feeding Co. (Whisky Trust) for an alleged violation of the antitrust law. Indictment quashed, as allegations were held not to constitute an offense under the statute.

2a.

In re Corning. Application to District Court, N. D. Ohio, June 11, 1892, for a warrant of removal from Ohio to Massachusetts to answer to the indictment found in the *Greenhut case*. Application denied and prisoner discharged.

2b.

In re Terrell. Application to Circuit Court, S. D. New York, June 28, 1892, for a writ of habeas corpus to secure a discharge from arrest and detention upon a warrant for removal from New York to Massachusetts to answer to the indictment found in the *Greenhut case*. Petitioner discharged.

2c.

In re Greene. Petition to Circuit Court, S. D. Ohio, August 4, 1892, for writ of habeas corpus to secure release from the custody of the marshal, by whom he was held awaiting an order for the removal of Greene to Massachusetts to answer to the indictment in the *Greenhut case*. Prisoner discharged.

8.

United States v. Nelson. Indictment in District Court, Minnesota, October 10, 1892, of a number of lumber dealers for conspiring together to raise the price of lumber. Demurrer to indictment sustained.

4.

United States v. Trans-Missouri Freight Association. Petition filed January 6, 1892, in Circuit Court Kansas, to enjoin the operations of a combination of railroads engaged in interstate commerce, formed for the purpose of maintaining "uniform rates," etc. Petition dismissed by Circuit Court; decree of dismissal affirmed by Circuit Court of Appeals, and reversed by the United States Supreme Court.

5.

United States v. Workingmen's Amalgamated Council of New Orleans et al. Suit in Circuit Court, E. D. Louisiana, March 25, 1893, to restrain defendants, a combination of workmen, from interfering with interstate and foreign commerce. An injunction was granted and the decree was affirmed by the Circuit Court of Appeals.

6.

United States v. Patterson et al. Indictment in Circuit Court, Massachusetts, February 28 and June 7, 1893, of members of a combination formed for the purpose of controlling the price of cash registers. Letter of Attorney General dated October 16, 1893, shows case was allowed to lapse because of reconciliation of complaining witness with defendants.

7.

United States v. E. C. Knight Company. Petition in Circuit Court, E. D. Pennsylvania, January 30, 1894, to enjoin the operations of an alleged Sugar Trust. The

petition was dismissed January 30, 1894. Appeal was taken to the Circuit Court of Appeals and the decree affirmed. From this decision an appeal was taken to the Supreme Court of the United States, where the decree of dismissal was again affirmed.

President Cleveland's Second Administration, March 4, 1893, to March 4, 1897.

[RICHARD OLNEY, Attorney General, March 6, 1893, to June 7, 1895; JUDSON HARMON, Attorney General, June 8, 1895, to March 5, 1897.]

1.

United States v. Eugene V. Debs et al. Petition filed on July 3, 1894, in the U. S. Circuit Court for the District of Indiana, seeking to restrain interference by American Railway Union and forty-nine individual defendants with mails and interstate commerce carried by all railroads operating in Indiana. An injunction was issued on July 3, 1894, which was continued in force until September 19, 1898, when the case was dismissed at the instance of the Government.

1a.

United States v. Agler. Information filed in Circuit Court, Indiana, July 12, 1894, charging contempt of court in disobeying an injunction restraining Agler and others from interfering with interstate commerce and obstructing the mails. Agler was a member of the American Railway Union, the members of which order had been enjoined from interfering with the carrying of the mails and from obstructing interstate commerce. Information quashed.

2.

United States v. Elliott. Suit in Circuit Court, E. D. Missouri, July 6, and October 24, 1894, to restrain Elliott, Debs, and others, members of the American Railway Union, from carrying out an unlawful conspiracy to interfere with interstate commerce and to obstruct the carrying of the mails. Preliminary injunction granted. Final decree entered April 6, 1896, against two hundred and ninety-five defendants, and temporary injunction made permanent.

3.

United States v. Debs et al. Petition filed on July 2, 1894, in the Circuit Court for the Northern District of Illinois, alleging conspiracy to obstruct the mails and to interfere with interstate commerce. A temporary injunction was issued on July 2, 1894, for violation of which contempt proceedings were instituted. Original petition dismissed on July 28, 1899, at the instance of the Government.

3a.

United States v. Debs et al. Proceedings in contempt in the Circuit Court, N. D. Illinois, December 14, 1894, to punish Debs and others for disobeying an injunction restraining them from interfering with interstate commerce and with obstructing the mails. Defendants found guilty and punished.

3b.

In re Debs, petitioner. Application to United States Supreme Court July 2, 1894, for a writ of habeas corpus to secure a discharge from imprisonment for disobeying an injunction of the Circuit Court for the Northern District of Illinois, restraining Debs and others from conspiring to interfere with interstate commerce. Petition for the writ denied.

4.

United States v. Cassidy. Indictment in District Court, N. D. California, April 1 and 2, 1895, under section 5440, Revised Statutes, for combining and conspiring to restrain trade and commerce between the States, in violation of the antitrust law, of which conspiracy the Pullman strike in California was a result. The trial resulted in a disagreement of the jury on April 6, 1895. A *nolle prosequi* entered on July 1, 1895.

5.

Moore v. United States. Indictment returned November 4, 1895, against the members of an association of dealers in coal at Salt Lake City for entering into a conspiracy, while Utah was a Territory, to regulate the price of coal. Moore was tried and convicted in the District Court of

Utah. The Circuit Court of Appeals reversed the judgment of conviction, for the reason that upon the admission of Utah as a State it was no longer a "Territory" within the meaning of the antitrust act, and the combination not being in restraint of interstate commerce, the court had no jurisdiction of the offense.

6.

United States v. Joint Traffic Association. Suit instituted January 8, 1896, in the Circuit Court, S. D. New York, to enjoin the alleged violation of the antitrust law by a combination of railroads. The Circuit Court dismissed the bill, and the Court of Appeals affirmed the action of the Circuit Court. These judgments were reversed by the United States Supreme Court.

7.

United States v. Addyston Pipe and Steel Company. Suit instituted December 10, 1896, Circuit Court, E. D. Tennessee, to enjoin the operations of a combination of manufacturers of cast-iron pipe, by which it was attempted to control prices. The petition was dismissed by the Circuit Court. The Circuit Court of Appeals reversed the decree of the Circuit Court and remanded the case with instructions to enter a decree for the Government. On appeal to the Supreme Court the action of the Circuit Court of Appeals was affirmed.

8.

United States v. Hopkins et al. Suit instituted in the Circuit Court, Kansas, December 31, 1896, to restrain the operations of the "Kansas City Live Stock Exchange," organized to control shipments of live stock. The injunction was granted and an appeal was taken to the Circuit Court of Appeals, from whence it was removed to the Supreme Court of the United States. By that court the decree of the Circuit Court was reversed and the case was remanded with instructions to dismiss the petition.

President McKinley's Administration—March 4, 1897—September 14, 1901.

[JOSEPH McKENNA, Attorney General, March 5, 1897, to June 25, 1898; JOHN W. GRIGGS, Attorney General, June 25, 1898, to March 29, 1901; PHILANDER C. KNOX, Attorney General, April 5, 1901, to September 14, 1901.]

1.

Anderson v. United States. Petition filed June 7, 1897, in the Circuit Court for the Western District of Missouri to restrain the operations of "The Traders' Live Stock Exchange," of Kansas City, an association formed for the purpose of buying cattle on the market. Decree of temporary injunction was granted and the case was appealed to the Circuit Court of Appeals for the Eighth Circuit. From there it was certified to the Supreme Court of the United States for instructions. The Supreme Court reversed the decree of the Circuit Court and remanded the case with directions to dismiss the petition.

2.

United States v. Coal Dealers' Association. Petition filed December 16, 1897, in the Circuit Court, N. D. California, to restrain the operations of a combination of coal dealers. A temporary injunction was granted, from which no appeal was taken, and on May 2, 1899, a final decree was ordered granting the relief prayed for.

3.

United States v. Chesapeake and Ohio Fuel Company et al. Petition filed May 8, 1899, in the Circuit Court, S. D. Ohio, to annul a contract and dissolve a combination among and between producers and shippers of coal in Ohio and West Virginia. Defendants were enjoined, contract was declared void and illegal, and the combination was dissolved.

**President Roosevelt's Administration—September 14, 1901—
March 4, 1909.**

[PHILANDER C. KNOX, Attorney General, September 14, 1901, to June 30, 1904;
WILLIAM H. MOODY, Attorney General, July 1, 1904, to December 16, 1906;
CHARLES J. BONAPARTE, Attorney General, December 17, 1906, to March 4,
1909.]

1.

United States v. Northern Securities Co. et al. Petition filed March 10, 1902, in the Circuit Court, Minnesota, to enjoin the defendant, the Northern Securities Co., from acquiring, holding, or voting the shares of the capital stock of two competing railway companies. The Circuit Court on April 9, 1903, entered a decree in favor of the Government, and this decree was, on March 14, 1904, affirmed by the Supreme Court of the United States.

2.

United States v. Swift & Co. et al. Petition filed May 10, 1902, in the Circuit Court, Northern District of Illinois, to restrain the defendants, who were engaged in the buying of live stock and the selling of dressed meats, from carrying out an unlawful conspiracy entered into between themselves and the various railway companies to suppress competition and to obtain a monopoly. Demurrers to the petition were overruled on February 18, 1903, and a preliminary injunction was granted. The defendants having failed to answer, the court, on May 26, 1903, entered a final decree. Defendants appealed from this decree to the Supreme Court of the United States, where it was affirmed.

3.

United States v. The Federal Salt Company et al. Petition filed October 15, 1902, in Circuit Court for the Northern District of California to restrain the defendants from combining and conspiring to suppress competition in the manufacture and sale of salt in the Western States. A temporary restraining order was issued on that date, and the court on November 10, 1902, granted an injunction pendente lite, thus in effect making the restraining order perpetual.

4. *United States v. The Federal Salt Company.* Indictment returned on February 28, 1903, in the Northern District of California against the so-called Salt Trust. On May 12, 1903, a plea of guilty was entered and a fine of \$1,000 was imposed and collected.
5. *United States v. Jacksonville Wholesale Grocers' Association.* Petition filed September 12, 1903, in the Circuit Court for the Southern District of Florida, for the purpose of dissolving a combination of wholesale grocers. November 1, 1907, the case was dismissed.
6. *United States v. General Paper Co. et al.* Petition filed December 27, 1904, in the Circuit Court for the District of Minnesota against the General Paper Co. and twenty-three other corporations engaged in the manufacture and sale of paper, alleging a combination and conspiracy to restrain trade and commerce. On May 11, 1906, the court ordered judgment in favor of the Government, dissolving the combination and granting all relief prayed for in the petition.
7. *United States v. Armour & Co. et al.* Indictment returned on July 1, 1905, in the Northern District of Illinois. Many preliminary objections were urged, and all were disposed of in favor of the Government, except certain special pleas of immunity, based upon information concerning the matters for which the defendants were indicted which they had given to the Department of Commerce and Labor. On March 29, 1906, the court sustained the pleas so far as the individual defendants were concerned and overruled them with respect to the corporations. February 5, 1913, dismissed.
8. *United States v. MacAndrews & Forbes Company et al.* Indictment returned in June, 1906, in the Southern District of New York charging a combination and conspiracy to regulate the interstate trade and sale in licorice paste. January 10, 1907, MacAndrews & Forbes Co.

was found guilty on first and third counts of indictment, the J. S. Young Co. was found guilty on first and third counts; and a verdict of acquittal was returned as to the individual defendants. MacAndrews & Forbes Co. was fined \$10,000, and J. S. Young Co. \$8,000.

9. *United States v. Metropolitan Meat Company et al.* Petition filed in October, 1905, in the Circuit Court for Hawaii, to restrain the operation of alleged unlawful combinations in restraint of trade in beef and beef products. Demurrer to bill overruled October 2, 1906.
10. *United States v. Nome Retail Grocers' Association.* Petition filed November 4, 1905, in the District Court, Second Division, District of Alaska, alleging combination to fix prices and to suppress competition. With the consent of the defendant a decree was entered dissolving the combination.
11. *United States v. Terminal Railroad Association of St. Louis et al.* Petition filed on December 1, 1905, in the Circuit Court for the Eastern District of Missouri to enjoin the defendant railroads from continuing an unlawful combination to operate Eads Bridge and Merchants Bridge as a common agency of interstate commerce. Upon disagreement of circuit judges the case was carried to the Supreme Court but was remanded by that court for further proceedings. The petition was then dismissed by the Circuit Court, and an appeal was taken to the Supreme Court, where, on April 22, 1912, the decree of the Circuit Court was reversed, and the case remanded with directions to enter a decree in conformity with the opinion of the Supreme Court. A controversy having arisen as to whether the district judge or the three circuit judges had jurisdiction a writ of prohibition was filed against the district judge, which was sustained by the Supreme Court. The form of final decree to be entered is now under consideration by the circuit judges, the respective parties having submitted their views on December 6, 1913.

12.

United States v. Allen & Robinson et al. Petition filed in October, 1905, in the Circuit Court for the District of Hawaii alleging unlawful combination to control the trade in lumber in that Territory. Answers filed January 2, 1906. Decision adverse to Government and petition ordered dismissed on March 30, 1911.

13.

United States v. Otis Elevator Co. et al. Petition filed March 7, 1906, in the Circuit Court for the Northern District of California against the Otis Elevator Co. and a number of other corporations and individuals, in which it was alleged that they were maintaining a combination in restraint of trade in the manufacture and sale of elevators. On June 1, 1906, a decree was entered by consent, granting the relief prayed for.

14.

United States v. F. A. Amsden Lumber Company et al. Indictment returned on May 4, 1906, in the District Court of Oklahoma for restricting competition and maintaining prices in the sale of lumber. September 25, 1907, pleas of guilty were entered and fines aggregating \$2,000 were imposed and collected.

15.

United States v. National Association of Retail Druggists et al. Petition filed May 9, 1906, in the Circuit Court for the District of Indiana, alleging a combination in restraint of interstate trade in the sale of drugs and proprietary medicines. On May 9, 1907, a final decree was entered by agreement, granting all the relief prayed for in the petition.

16.

United States v. Virginia-Carolina Chemical Company et al. Indictment returned on May 25, 1906, in the Middle District of Tennessee, against 31 corporations and 25 individuals engaged in the fertilizer business, charging a conspiracy in violation of the Federal antitrust act and a conspiracy to commit an offense against the United States in violation of section 5440 of the Revised Statutes. On April 17, 1908, various motions, pleas in abatement, and demurrers were filed. On July

3, 1908, the motions and demurrers were overruled, and the pleas in abatement were sustained and the indictment was quashed.

17.

United States v. American Ice Company et al. Indictment returned on July 12, 1906, in the Supreme Court of the District of Columbia, charging an unlawful agreement to control prices and restrict competition in the sale of ice. No further action taken.

18.

United States v. Chandler Ice and Cold Storage Plant et al. Indictment returned on September 19, 1906, in the District Court for the Territory of Oklahoma, charging a combination to apportion territory in the sale of ice. Demurrer overruled in May, 1907. Case was ordered dismissed on April 10, 1911.

19.

United States v. Alfred M. Gloyd et al. Indictment returned on September 21, 1906, in the District Court for the Territory of Oklahoma, charging a combination to maintain prices and restrict competition in the sale of lumber. Dismissed.

20.

United States v. People's Ice and Fuel Company and W. B. Lount. Indictment returned on October 23, 1906, in the District Court for the Territory of Arizona, charging a combination to control prices and restrict competition in the sale of ice. The trial resulted in a verdict of not guilty as to People's Ice and Fuel Co. Case as to W. B. Lount was continued over term, and on October 16, 1907, a plea in bar was filed, which on following day was sustained.

21.

United States v. Demund Lumber Company et al. Indictment returned on October 23, 1906, in the District Court for the Territory of Arizona, charging a combination to control prices and restrict competition in the sale of lumber. January 2, 1907, the trial was commenced and resulted in a verdict of not guilty as to Demund Lumber Co. May 9, 1907, a verdict of acquittal was directed as to remaining defendants.

22.

United States v. Phoenix Wholesale Meat and Produce Company et al. Indictment returned on October 23, 1906, in the District Court for the Territory of Arizona, charging a combination to control prices and restrict competition in the sale of meats. January 7, 1907, verdict of not guilty as to Phoenix Wholesale Meat & Produce Co. and indictment against Hurley dismissed. Verdict of guilty as to defendant S. J. Tribolet, and fine of \$1,000 imposed. Verdict affirmed by Supreme Court of Territory.

23.

United States v. Standard Oil Company of N. J. et al. Petition filed November 15, 1906, in Circuit Court for the Eastern District of Missouri, alleging that defendants were maintaining a combination in restraint of trade in the production and sale of petroleum. Decision in favor of Government on November 20, 1909. Appealed to Supreme Court, and judgment affirmed May 15, 1911, and the combination was thereafter dissolved in accordance with the terms of the decree.

24.

United States v. T. B. Hogg et al. Indictment returned December 8, 1906, in the District Court for the Territory of Oklahoma, charging a combination and conspiracy in restraint of trade and commerce in the sale of lumber. Dismissed upon admission of Oklahoma to statehood.

25.

United States v. Atlantic Investment Company et al. Indictment returned February 11, 1907, in the District Court for the Southern District of Georgia, charging a combination in restraint of trade and commerce in the manufacture and sale of turpentine. February 18, 1907, four corporations and two individuals entered pleas of guilty, and the court imposed fines aggregating \$30,000.

26.

United States v. American Seating Company et al. Indictment returned March 12, 1907, in the District Court for the Northern District of Illinois, charging a combination in restraint of trade in the manufacture and

sale of school and church furniture. April 1, 1907, defendant corporations entered pleas of guilty, with one exception. May 20, 1907, fines aggregating \$43,000 were imposed and collected. Defendant E. H. Stafford Manufacturing Co. filed demurrer April 3, 1907. May 31, 1907, demurrer was overruled and plea of not guilty entered. Dismissed January 27, 1913.

27.

United States v. American Seating Company et al. Petition filed March 12, 1907, in the Circuit Court for the Northern District of Illinois, alleging a combination in restraint of trade in the manufacture and sale of school and church furniture. August 15, 1907, decree entered granting perpetual injunction against all defendants, except E. H. Stafford Manufacturing Co., E. H. Stafford, E. M. Stafford, and E. G. Bentley. As to these defendants the case was dismissed on January 27, 1913.

28.

United States v. Santa Rita Mining Company and Santa Rita Store Company. Indictment returned on April 4, 1907, in the district of New Mexico, charging a combination in restraint of trade. Demurrer was filed and overruled. Fine of \$1,000 imposed on each defendant. An appeal was taken to the Supreme Court of the Territory of New Mexico, where judgment of the lower court was reversed, and the case was subsequently dismissed.

29.

United States v. The Reading Company et al. Petition filed June 12, 1907, in the Circuit Court for the Eastern District of Pennsylvania, to dissolve a combination among the anthracite coal-carrying roads and others. December 8, 1910, a decision was handed down by the Circuit Court adjudging that defendants were joined in a combination in restraint of trade through the instrumentality of the Temple Iron Co., but dismissing the charge of the petition as to the so-called 65 per cent contracts whereby it was alleged the independent output was controlled, and also the charges as to certain so-called minor combinations. Cross appeals were taken to the Supreme Court, where the decree of the lower court, in so far as it adjudged the defendants parties to

a combination in restraint of trade through the instrumentality of the Temple Iron Co., was affirmed, but was reversed as to the so-called 65 per cent contracts with instructions to cancel them, and was further modified by dismissing the petition in other respects without prejudice, instead of absolutely.

30.

United States v. National Umbrella Frame Company et al.

Indictment returned July 1, 1907, in the District Court for the Eastern District of Pennsylvania, charging a conspiracy to restrain interstate trade and commerce in the manufacture and sale of umbrella material. Pleas of guilty were entered and fines aggregating \$3,000 imposed and collected.

31.

United States v. American Tobacco Company et al. Petition filed July 10, 1907, in the Circuit Court for the Southern District of New York, in which it was alleged that defendants were maintaining a combination in restraint of trade and commerce in the manufacture and sale of tobacco. November 7, 1908, a decision was rendered in favor of the Government, except as to individual defendants and certain foreign and other corporations. Cross appeals were taken to the Supreme Court, where, on May 29, 1911, a decision was rendered sustaining the Government on every point; and the case was remanded to the Circuit Court and the unlawful combination was dissolved in accordance with the decision of the Supreme Court.

32.

United States v. E. H. Stafford Manufacturing Company et al. Indictment returned July 10, 1907, in the District Court for the Northern District of Illinois charging a combination in restraint of trade in the manufacture and sale of school and church furniture. Dismissed January 27, 1913.

33.

United States v. E. I. du Pont de Nemours & Co. et al. Petition filed July 30, 1907, in the Circuit Court for the

District of Delaware, in which it is alleged that defendants were maintaining a combination in restraint of trade in the manufacture and sale of gunpowder and other explosives. On June 21, 1911, a decision and interlocutory decree was rendered ordering the dissolution of the combination. Final decree dissolving the combination was approved by the court on June 13, 1912.

34.

United States v. One Hundred and Seventy-five Cases of Cigarettes. Information filed October 28, 1907, in the District Court for the Eastern District of Virginia covering the seizure of 175 cases of cigarettes under section 6 of the Federal antitrust act. Cigarettes subsequently released under bond. Decree of dismissal entered January 31, 1913.

35.

United States v. H. D. Corbett Stationery Company et al. Indictment returned November 1, 1907, in the District Court for the District of Arizona charging a combination in restraint of trade. November 4, 1907, demurrer filed. November 14, 1907, demurrers sustained and defendants were held to next grand jury. October 28, 1908, reindicted. November 6, 1908, verdict of not guilty returned.

36.

United States v. Union Pacific Coal Company et al. Indictment returned November 20, 1907, in the District Court for the District of Utah, charging a conspiracy to maintain a monopoly in the sale of coal. January 6, 1908, demurrer filed. March 2, 1908, the demurrer was sustained as to first count and overruled as to second count. December 3, 1908, verdict of guilty was returned. March 29, 1909, fines aggregating \$13,000 imposed. November, 1909, judgment was reversed by Circuit Court of Appeals, and the suit was dismissed March 21, 1910.

37.

United States v. Chas. L. Simmons et al. Indictment returned January 20, 1908, in the District Court for the Southern District of Alabama charging a combination

in restraint of trade and commerce in the manufacture and sale of plumbers' supplies. December 1, 1910, pleas of guilty were filed, and fines aggregating \$265 were imposed.

38.

United States v. Union Pacific Railroad Company et al.

Petition filed February 1, 1908, in the Circuit Court for the District of Utah, charging a combination and conspiracy in violation of the Sherman Act on the part of the so-called Harriman lines. June 23, 1911, the petition was dismissed by the Circuit Court on the ground that the roads involved were not competing lines and hence the combination was not a violation of law. An appeal was taken to Supreme Court, which handed down a decision reversing the lower court on December 2, 1912. Final decree entered at St. Paul, Minn., on June 30, 1913.

39.

United States v. E. J. Ray et al. Indictment returned

February 14, 1908, in the Circuit Court for the Eastern District of Louisiana against seventy-two laborers, charging a combination and conspiracy in restraint of foreign trade and commerce. See note to case 40.

40.

United States v. E. J. Ray et al. Indictment returned

February 15, 1908, in the Circuit Court for the Eastern District of Louisiana against seventy-two laborers, charging a combination and conspiracy in restraint of interstate trade and commerce.

NOTE.—On January 26, 1911, the above cases Nos. 39 and 40 were consolidated for trial. A verdict of guilty was returned as to three defendants, and fines aggregating \$110 were imposed. An appeal was granted and the judgment of the lower court was affirmed by the Circuit Court of Appeals.

41.

United States v. Joseph Stiefvater et al. Indictment re-

turned February 15, 1908, in the Circuit Court for the Eastern District of Louisiana, charging a combination in restraint of trade and commerce in the manufacture and sale of plumbers' supplies. June 25, 1910, case was dismissed.

42.

United States v. American Naval Stores Company et al. Indictment returned April 11, 1908, in the Circuit Court for the Southern District of Georgia, charging a combination in restraint of trade and commerce in the manufacture and sale of turpentine. May 10, 1909, verdict of guilty was returned as to five individual defendants. Fines aggregating \$17,500 imposed and two defendants sentenced to serve three months in jail. Appeal taken to Circuit Court of Appeals and the judgment was there affirmed. Certiorari granted by Supreme Court. Judgment of lower court reversed June 9, 1913, on ground of error in judge's charge to jury. Pending.

43.

United States v. New York, New Haven and Hartford Railroad Company et al. Petition filed May 22, 1908, in the Circuit Court for the District of Massachusetts, charging the New Haven Co. with combining under common control the steam and electric railway systems in New England. Dismissed June 26, 1909.

44.

United States v. John H. Parks et al. Indictment returned June 16, 1908, in the Circuit Court for the Southern District of New York, charging a combination in restraint of trade in the manufacture and sale of paper. On June 19, 1908, defendants plead guilty and fines aggregating \$50,000 were imposed and collected.

President Taft's Administration, March 4, 1909-March 4, 1913.

[GEO. W. WICKERSHAM, Attorney General, March 4, 1909-March 4, 1913.]

1.

United States v. American Sugar Refining Company et al. Indictment returned July 1, 1909, in the Southern District of New York. A plea of the statute of limitations was interposed by the defendants Kissell and Harned, which was sustained by the Circuit Court. An appeal therefrom was taken to the Supreme Court, where the matter was decided in favor of the Government. March

31, 1912, the trial of this case resulted in a disagreement of the jury.

2.

United States v. Albia Box & Paper Company et al.

Indictment returned December 7, 1909, in the Southern District of New York charging combination in restraint of trade in paper board. February 7, 1910, all defendants plead guilty and fines aggregating \$57,000 were imposed and collected.

3.

United States v. John S. Steers et al. Indictment returned February 17, 1910, in Eastern District of Kentucky, charging conspiracy to restrain trade. This is the so-called "*Night Rider*" case. April 16, 1910, a verdict of guilty was returned as to eight of twelve defendants and fines aggregating \$3,500 were imposed. The case was appealed to Circuit Court of Appeals, and the judgment was affirmed. May 11, 1912, the sentences were commuted by the President to payment of costs of suit.

4.

United States v. Imperial Window Glass Company et al.

Indictment returned April 7, 1910, in the Western District of Pennsylvania, charging combination and conspiracy to enhance the price of window glass. Demurrers to the indictment were overruled, and on November 10, 1910, pleas of nolo contendere were entered and fines aggregating \$10,000 were imposed and collected.

5.

United States v. National Packing Company et al. Indictment returned March 21, 1910, in Northern District of Illinois, charging combination to restrain trade in fresh meats. Demurrer to indictment was sustained June 23, 1910.

6.

United States v. National Packing Company et al. Petition filed March 21, 1910, in the Circuit Court for the Northern District of Illinois, charging combination in restraint of trade in fresh meats and praying for dissolution. Dismissed in order to facilitate the prosecution of criminal case.

7. *United States v. Armour Packing Company et al.* Indictment returned in April, 1910, in the Southern District of Georgia, charging combination to control prices and restrict competition. Pending on demurrer.
8. *United States v. Missouri Pacific Railroad Company and twenty-four other railroads.* Petition filed May 31, 1910, in Circuit Court, E. D. of Missouri, to restrain violation of Sherman law, and temporary restraining order issued on that day enjoining advances in freight rates in western trunk-line territory. Thereafter the Interstate Commerce Commission enjoined the rate advances which the temporary restraining order had prevented from going into effect, and the petition was dismissed.
9. *United States v. Southern Wholesale Grocers' Association.* Petition filed June 9, 1910, in the Circuit Court, Northern District of Alabama, alleging combination to regulate prices and control marketing of groceries. An agreed decree was entered. The court, October 17, 1911, perpetually restraining the association, its officers and members, from doing any and all of the acts complained of. See contempt proceedings, number 79 post.
10. *United States v. Great Lakes Towing Company et al.* Petition filed June 19, 1910, in the Circuit Court Northern District of Ohio, against an alleged combination of towing facilities on the Great Lakes. A decision in favor of the Government was handed down February 11, 1913. The plan of dissolution is now under consideration by the court.
11. *United States v. Chicago Butter & Egg Board.* Petition filed June 13, 1910, in Circuit Court, Northern District of Illinois. A demurrer to the petition was sustained with leave to amend, and an amended petition was filed. Set for hearing on master's report on January 8, 1914.

12.

United States v. Frank Hayne, James A. Patten, et al., Indictments returned August 4, 1910, in Southern District of New York alleging conspiracy to run a corner in cotton. Demurrers were sustained as to certain counts of indictment and overruled as to others, and an appeal was taken by the United States to the Supreme Court. Case was argued during November, 1911, and reargued at the October term, 1912. Decision by Supreme Court January 6, 1913, sustaining indictments. Patten entered plea of guilty February 11, 1913, and was fined \$4,000. Indictment dismissed as to other defendants, and another indictment was returned July 1, 1913. See case No. 6, page 56.

13.

United States v. Standard Sanitary Manufacturing Company et al. Petition filed July 22, 1910, in Circuit Court, District of Maryland, charging a combination, under cover of a patent licensing arrangement, to restrain competition and enhance prices of enamel ware. In a decision rendered October 13, 1911, the court sustained all the Government's contentions, and a decree was entered November 25, 1911, from which an appeal was taken to the Supreme Court. Decision of lower court affirmed by Supreme Court November 18, 1913.

14.

United States v. Louis F. Swift et al. Indictment returned in September, 1910, in the Northern District of Illinois against ten individuals engaged in the meat-packing industry. Defendants filed numerous pleas in bar, etc., all of which were decided in favor of the Government. March 27, 1912, after a trial lasting over three months the jury returned a verdict of acquittal.

15.

United States v. John Reardon & Sons Company and Consolidated Rendering Co. Indictment returned in October, 1910, in the District of Massachusetts, charging combination in the rendering business. Demurrer to indictment was sustained June 23, 1911.

16. *United States v. Ferdinand Sulzberger, doing business under the name of John Reardon & Sons Company, and Horatio W. Heath, of Boston, doing business as the Consolidated Rendering Company.* Indictment returned in October, 1910, in the District of Massachusetts, charging a combination in the rendering business. Demurrer to indictment was sustained June 23, 1911.
17. *United States v. Horatio W. Heath and Cyrus S. Hapgood.* Indictment returned in October, 1910, in the District of Massachusetts, charging a combination in the rendering business. Demurrer to indictment was sustained June 23, 1911.
18. *United States v. Standard Sanitary Manufacturing Company et al.* In addition to the above-mentioned suit in equity (No. 13, supra), indictments were returned at Detroit on December 6, 1910, against the same corporations and individuals, charging the same acts. After a trial lasting six weeks the jury reported a disagreement on March 14, 1912. Retrial in February, 1913, resulted in a verdict of guilty and fines aggregating \$51,006 were imposed.
19. *United States v. American Sugar Refining Company et al.* Petition filed November 28, 1910, in the Circuit Court Southern District of New York, alleging a combination in restraint of trade and praying for its dissolution. Demurrer was overruled December 11, 1911. Issues joined and taking of testimony in chief on behalf of Government has been concluded.
20. *United States v. General Electric Company et al.* Petition filed March 3, 1911, in the Northern District of Ohio, charging a combination in the manufacture of incandescent electric lamps. A decree was agreed upon between counsel, which was approved by the court October 12, 1911.

21.

United States v. Purrington et al. Indictment returned September 14, 1910, in the Northern District of Illinois, charging combination to restrain trade in paving bricks and paving blocks. Demurrer was overruled November 9, 1911. Nolle prosequi entered June 3, 1913.

22.

United States v. Hamburg-Amerikanische Packetfahrt Actien Gesellschaft and others. Petition filed January 4, 1911, in the Circuit Court for the Southern District of New York, to dissolve a combination of steamship lines regulating steerage traffic on the Atlantic Ocean. Demurrers were overruled December 20, 1911. Taking of testimony completed and case set for argument on April 17, 1914.

23.

United States v. William C. Geer, president Albia Box and Paper Company, et al. Indictment returned April 28, 1911, in the Southern District of New York, alleging a combination and conspiracy in restraint of interstate commerce in paper board. Demurrer overruled May 9, 1913. Case being prepared for trial.

24.

United States v. Eastern States Retail Lumber Dealers Association. Petition filed May 19, 1911, in Circuit Court for the Southern District of New York, charging defendants with conspiring to restrain trade through the instrumentality of black lists and trade agreements. Decision by lower court in favor of Government January 9, 1913, and a decree entered March 1, 1913, from which an appeal was taken to the Supreme Court. Argued in Supreme Court during October term, 1913.

25.

United States v. Isaac Whiting et al. Indictment returned May 26, 1911, in the District of Massachusetts, charging a combination to restrain trade in milk throughout the New England States. Demurrer argued in November, 1912, and decision awaited.

26.

United States v. Isaac Whiting et al. Indictment returned May 26, 1911, in the District of Massachusetts, charging

a conspiracy to restrain trade in milk throughout the New England States. Demurrer argued in November, 1912, and decision awaited.

27.

United States v. Holmes et al. Indictment returned June 23, 1911, in the Northern District of Illinois, charging that the secretaries of fourteen retail lumbermen's associations were in a conspiracy by means of a central bureau to control the marketing of lumber. Demurrer filed. Nolle prosequi entered June 6, 1913.

28.

United States v. Wm. P. Palmer and 25 others, constituting the Bare Copper Wire Association. Indictment returned June 29, 1911, in the Southern District of New York. See note to No. 36.

29.

United States v. Wm. P. Palmer and 33 others, constituting the Weatherproof and Magnet Wire Association. Indictment returned June 29, 1911, in the Southern District of New York. See note to No. 36.

30.

United States v. Wm. P. Palmer and 38 others, constituting the Rubber Covered Wire Association. Indictment returned June 29, 1911, in the Southern District of New York. See note to No. 36.

31.

United States v. F. W. Roebbling and 17 others, constituting the Fine Magnet Wire Association. Indictment returned June 29, 1911, in the Southern District of New York. See note to No. 36.

32.

United States v. Wm. P. Palmer and 15 others, constituting Horse Shoe Manufacturers' Association. Indictment returned June 29, 1911, in the Southern District of New York. See note to No. 36.

33.

United States v. Phillip H. W. Smith and 14 others, constituting the Underground Power Cable Association. Indictment returned June 29, 1911, in the Southern District of New York. See note to No. 36.

34.

United States v. Frank N. Philips and 10 others, constituting the Telephone Cable Association. Indictment returned June 29, 1911, in the Southern District of New York. See note to No. 36.

35.

United States v. Wm. P. Palmer and 17 others, constituting the Lead Encased Rubber Insulated Cable Association. Indictment returned June 29, 1911, in the Southern District of New York. See note to No. 36.

36.

United States v. E. E. Jackson, jr., and 17 others, constituting the Wire Rope Association. Indictment returned June 29, 1911, in the Southern District of New York.

NOTE.—In cases Nos. 28 to 36 the various defendants entered pleas of *nolo contendere*, and fines aggregating approximately \$128,700 were assessed.

37.

United States v. Periodical Clearing House et al. Petition filed in June, 1911, in the Southern District of New York against the members of the so-called Magazine Trust. The trial resulted in an equally divided court, and an order of dismissal was entered May 29, 1913.

38.

United States v. Jay B. Pearce et al. Indictment returned July 19, 1911, in the Northern District of Ohio against certain manufacturers and jobbers for combination and conspiracy in the manufacture and sale of wall paper. Demurrer was overruled May 13, 1912. Trial resulted in a verdict of not guilty on May 24, 1912.

39.

United States v. Lake Shore & Michigan Southern R. R. et al. Petition filed August 4, 1911, in the Southern District of Ohio to enjoin combination and conspiracy whereby certain railroads are held under one control. Decision of lower court in favor of Government December 28, 1912. Proposed plan of dissolution has been submitted to and is now being considered by the court.

40.

United States v. Edward E. Hartwick et al. Petition filed August 31, 1911, in the Circuit Court, Eastern District of Michigan, alleging conspiracy and unlaw-

ful restraint of trade on the part of members of the Michigan Retail Lumber Dealers' Association, The Scout Publishing Co., and the Lumber Secretaries' Bureau of Information. Issues joined and taking of testimony completed.

41.

United States v. Standard Wood Company et al. Petition filed in September, 1911, in the Circuit Court, Southern District of New York, against the members of the so-called Kindling Wood Trust. On default of answer, a decree was entered against defendants March 11, 1912.

42.

United States v. Hunter Milling Company, Blackwell Milling and Elevator Company, and Frank Foltz. Indictment returned September 10, 1911, in the Western District of Oklahoma charging violation of section 1 of the Antitrust Act. Demurrer overruled December 16, 1912. Jury returned a verdict of guilty, and fines aggregating \$2,000 were imposed.

43.

United States v. S. W. Winslow et al. Two indictments (113 and 114) returned September 19, 1911, in the District of Massachusetts charging combination, conspiracy, and monopoly in trade in shoe machinery. Demurrer to indictment 113 was sustained, and demurrer to indictment 114 was overruled as to first count and sustained as to second count. An appeal was taken by the United States from decision in No. 113, which was affirmed by the Supreme Court. Pending.

44.

United States v. The Colorado and Wyoming Lumber Dealers' Association and The Lumber Secretaries' Bureau of Information. Petition filed September 25, 1911, in the Circuit Court, District of Colorado, for injunction against defendants for conspiracy to restrain trade in lumber and its products. The taking of testimony has been completed and further action is being deferred, awaiting decision by Supreme Court in case 24, ante.

45.

United States v. Willard G. Hollis et al. Petition in equity filed October, 1911, in the Circuit Court, Dis-

trict of Minnesota, against the Lumber Secretaries' Bureau of Information. The Lumberman Publishing Company, and certain individuals alleging conspiracy and combination in the lumber trade. The taking of testimony has been completed and further action is being deferred pending decision of Supreme Court in case 24, ante.

46.

United States v. United States Steel Corporation and others. Petition filed October 27, 1911, in District Court for District of New Jersey alleging a combination in restraint of interstate commerce in iron and steel and their products and an attempt to monopolize the same. Issues joined and testimony in chief on behalf of Government has been taken.

47.

United States v. Joe Cotton et al. Defendants were, on November 15, 1911, indicted in the Southern District of Mississippi for conspiring to restrain interstate commerce during course of a strike on the Illinois Central Railroad. The strike having been terminated, no further action has been taken.

48.

United States v. National Cash Register Co. et al. Petition filed December 4, 1911, in Circuit Court, Southern District of Ohio, alleging conspiracy and monopoly in the manufacture, sale, and shipment of cash registers and other registering devices. Issue joined and taking of testimony will shortly be commenced. Delay due to prosecution of criminal case, 60 post.

49.

United States v. United Shoe Machinery Co. et al. Petition in equity filed December 12, 1911, in Circuit Court, District of Massachusetts, alleging combinations and conspiracies in restraint of interstate and foreign trade in shoe machinery, and praying for perpetual restraining order, dissolution of company, and restoration of normal conditions. Testimony now being taken in open court.

50.

United States v. A. Haines et al. Two indictments returned December 16, 1911, in the Southern District of Florida against members of Longshoremen's Association for combining, conspiring, and agreeing to interfere with interstate operations of the Mason Forwarding Company which had declined to recognize one of the conspirators known as the "walking delegate." See note to case 51, post.

51.

United States v. A. Haines et al. Two indictments returned December 16, 1911, in the Southern District of Florida for combining, conspiring, and agreeing upon rules, regulations, requirements, etc., with reference to the employment of workmen to load vessels with lumber for interstate shipment.

NOTE.—Cases 50 and 51 consolidated for trial. Defendants entered pleas of guilty and were sentenced each to four hours' confinement.

52.

United States v. Pacific Coast Plumbing Supply Association et al. Petition filed December 18, 1911, in Circuit Court, Southern District of California, alleging unlawful restraint of trade and commerce in plumbing supplies on the Pacific coast. Decree enjoining defendants from further committing the acts complained of was entered January 6, 1912.

53.

United States v. The Keystone Watch Case Company et al. Petition filed December 20, 1911, in the Circuit Court, Eastern District of Pennsylvania, alleging unlawful contracts, combinations, and conspiracies to monopolize trade in filled watch cases and watches, and praying for a permanent decree ordering the dissolution of the company and enjoining defendants from further committing the unlawful acts complained of. Issues joined, taking of testimony completed, and case is now ready for trial.

54.

United States v. American Naval Stores Company et al. Petition filed January 8, 1912, in the District Court, Southern District of Georgia, alleging unlawful combi-

nation and conspiracy in restraint of interstate and foreign commerce in turpentine and resin. Demurrer overruled January 2, 1913. Defendant suspended business in March, 1913, on account of financial difficulties, and since then no further action has been taken.

55.

United States v. New Departure Manufacturing Company et al. Indictment returned January 8, 1912, in the Western District of New York against six corporations and eighteen individual defendants, charging unlawful combination and conspiracy for the purpose of monopolizing the coaster-brake business, and fixing and maintaining prices for coaster brakes. Plea in abatement overruled April 2, 1912. Demurrer overruled March 12, 1913. Defendants entered pleas of guilty and nolo contendere and fines aggregating \$81,500 were imposed in May, 1913.

56.

United States v. The North Pacific Wharves & Trading Co. et al. Indictment (834-B) returned February 12, 1912, in the First Division, District of Alaska, charging defendants with conspiring to monopolize and monopolizing the coal business at Skagway. Demurrer sustained May 3, 1912.

57.

United States v. Pacific & Arctic Railway & Navigation Co. et al. Indictment (835-B) returned February 12, 1912, in the First Division, District of Alaska, charging defendants with engaging in a conspiracy to monopolize and monopolizing the transportation business between the head of Lynn Canal and the headwaters of the Yukon River. Demurrer sustained on May 3, 1912.

58.

United States v. The North Pacific Wharves & Trading Co. et al. Indictment (836-B) returned February 12, 1912, in the First Division, District of Alaska, charging defendants (1) with engaging in a conspiracy and combination in restraint of trade and commerce by way of combining the four wharves at Skagway under one management, and (2) with monopolizing the wharfinger business at Skagway. Demurrer overruled on May 3,

1912. First trial resulted in disagreement of jury on January 27, 1913. Pending.

59.

United States v. Pacific & Arctic Railway and Navigation Co. et al. Indictment (837-B) returned February 13, 1912, in the First Division, District of Alaska, charging defendants with engaging in a conspiracy to monopolize and monopolizing the steamship transportation between Puget Sound and British Columbia ports in the south and Skagway in the north. Demurrer sustained, except as to corporation defendants to count No. 6. Upon appeal to the Supreme Court the judgment was reversed and the case remanded for further proceedings. Pending.

60.

United States v. John H. Patterson et al. Indictment returned February 22, 1912, in the Southern District of Ohio, against John H. Patterson, president, and 29 other officials and employes of the National Cash Register Company, alleging a conspiracy in restraint of interstate trade and commerce in cash registers, resulting in an unlawful monopoly of the industry. Demurrer overruled June 26, 1912. Trial resulted in a verdict of guilty as to 29 of the 30 defendants and fines aggregating \$135,000 and jail sentences ranging from nine months to one year were imposed. Pending on appeal.

61.

United States v. American-Asiatic Steamship Company et al. Petition in equity filed March 30, 1912, in Southern District of New York, charging defendants with combining and conspiring, entering into unlawful contracts and pooling agreements, and allowing rebates, for the purpose of securing a monopoly of the business of transporting freight between ports on the Atlantic coast of the United States and ports in the Philippine Islands, Japan, China, and the Far East. Issue joined. Taking of testimony on behalf of Government nearing completion.

62.

United States v. Julius F. Miller, Secretary, New York Charcoal Company et al. Indictment returned April 2, 1912, in the Eastern District of New York charging de-

defendants with restraining interstate trade and commerce in charcoal. Demurrer sustained October 17, 1912.

63.

United States v. International Harvester Company et al. Petition filed April 30, 1912, in the District Court, District of Minnesota, alleging the acquisition and maintenance of a monopoly in harvesting and agricultural machinery and implements and twine. Testimony taken, expediting certificate filed, and case argued before three circuit judges at St. Paul during November, 1913.

64.

United States v. Aluminum Company of America. Petition filed May 16, 1912, in the District Court, Western District of Pennsylvania, to prevent a further monopoly of and restraint upon the interstate and foreign trade and commerce in aluminum and aluminum wares. Consent decree granting relief substantially as prayed for was entered at Pittsburgh on June 7, 1912.

65.

United States v. Herman Sielcken et al. Petition filed May 18, 1912, in the District Court, Southern District of New York, alleging conspiracy to reduce the production of coffee, especially in the State of San Paulo, Brazil, and to withdraw a large per cent of coffee from the market by purchase. Motion for preliminary injunction denied. Upon the advice of the State Department that representations had been made by the Brazilian Government that the entire quantity of coffee which was being withheld from market had been sold to a large number of dealers throughout the United States, an order of dismissal was entered May 29, 1913.

66.

United States v. Prince Line (Limited) et al. Petition filed June 5, 1912, in the District Court, Southern District of New York, charging defendants, as common carriers of freight and passengers between ports of the United States and ports in the Republic of Brazil, with acquiring and maintaining a substantial monopoly by means of contracts, rebates, and other unlawful acts, and praying for an annulment of said contracts, agreements,

etc. Issue joined and testimony in chief on behalf of Government has been introduced.

67.

United States v. Central-West Publishing Co. et al. Petition filed August 3, 1912, in the District Court, Northern District of Illinois, charging defendants with engaging in unfair competition against each other and against others engaged in competing industries, with the intent to restrain and monopolize interstate trade and commerce in plate and ready-print matter. Consent decree, granting relief as prayed for, entered at Chicago on August 3, 1912.

68.

United States v. Associated Billposters and Distributors of the United States and Canada et al. Petition filed August 3, 1912, in the District Court, Northern District of Illinois, charging defendants with engaging in a combination and conspiracy to place unlawful restraints upon interstate and foreign trade and commerce in posters. Hearing on demurrer set for January 30, 1914.

69.

United States v. Motion Picture Patents Company et al. Petition filed August 15, 1912, in the District Court, Eastern District of Pennsylvania, to remove the restraints which defendants have imposed upon interstate and foreign trade and commerce in machines, appliances, and apparatus relating to the motion-picture art, and upon persons engaged in such trade and commerce. The taking of testimony in chief on behalf of Government has been completed.

70.

United States v. Calvin N. Payne et al. Indictment returned August 29, 1912, in the Northern District of Texas, charging defendants with engaging in a conspiracy in restraint of interstate and foreign trade and commerce in oils and oil products. Nolle prosequi entered February 25, 1913.

(15, 16, and 17 A.)

United States v. Consolidated Rendering Co. Indictment returned October 31, 1912, in the District of Massachusetts, charging monopoly of interstate trade and com-

merce in rendering materials. December 1, 1913, plea of nolo contendere by defendant and fine of \$5,000 imposed.

United States v. Consolidated Rendering Company et al. Indictment returned October 31, 1912, in the District of Massachusetts, charging monopoly of interstate trade and commerce in rendering materials. December 1, 1913, plea of nolo contendere by corporation and fine of \$3,000 imposed. Indictment *nolle prosequi* as to individual defendants.

NOTE.—These actions were instituted as a result of demurrers having been sustained in cases 15, 16, and 17, and are therefore not counted as additional cases.

71.

United States v. The Master Horseshoers' National Protective Association of America and others. Petition filed December 12, 1912, in the Eastern District of Michigan, charging defendants with engaging in a combination and conspiracy in restraint of trade and commerce in drilled horseshoes, adjustable calks, and rubber hoof pads. Pending on demurrer.

72.

United States v. Philadelphia Jobbing Confectioners' Association et al. Petition filed December 13, 1912, in the Eastern District of Pennsylvania, charging defendants with unlawfully interfering with interstate commerce in candies and confections. Consent decree entered February 17, 1913.

73.

United States v. Elgin Board of Trade et al. Petition filed December 14, 1912, in the Northern District of Illinois, charging defendants with combining and conspiring in the interest of a number of large centralizing concerns to restrain interstate commerce in butter and butter fat, and arbitrarily fixing the price thereof to obtain throughout the United States. Issue joined and taking of testimony in open court will be commenced on January 8, 1914.

74.

United States v. Charles S. Mellen, Edson J. Chamberlin, and Alfred W. Smithers. Indictment returned Decem-

ber 23, 1912, in the Southern District of New York, charging a combination and conspiracy to restrain interstate commerce by preventing the construction of subsidiary lines of the Central Vermont Railway Company (itself a subsidiary of the Grand Trunk Railway Company) from Palmer, Mass., to Providence, R. I.; from White River Junction, Vermont, to Boston; and from Boston to Blackstone, connecting there with the Palmer-Providence line. Case at issue awaiting trial.

75.

United States v. Kellogg Toasted Corn Flake Company et al. Petition filed December 26, 1912, in the Eastern District of Michigan, alleging that the business policy of the defendant company in fixing and enforcing resale prices on Kellogg's Toasted Corn Flakes is unlawful and tends to restrain and monopolize interstate commerce in said product.

76.

United States v. Page et al. Indictment returned February 5, 1913, at Portland, District of Oregon, charging 15 individuals, through the medium of the Produce Merchants' Exchange, of Portland, with unlawfully controlling the purchase, distribution, and sale of approximately 90 per cent of the produce, fruit, and vegetables shipped into the State of Oregon. The defendants entered pleas of guilty on February 21, 1913, and fines aggregating \$8,450 were imposed and collected.

77.

United States v. Krentler-Arnold Hinge Last Company et al. Petition filed February 7, 1913, in the District Court, Eastern District of Michigan, alleging the unlawful control by defendant of the interstate trade and commerce in shoe and boot lasts, both patented and unpatented. Consent decree was entered at Detroit, Michigan, on February 7, 1913.

78.

United States v. United Shoe Machinery Company of New Jersey, et al. Petition filed February 8, 1913, in the District Court at Trenton, New Jersey, seeking to have annulled an alleged unlawful contract involving "inseam trimming machines."

79.

United States v. The Southern Wholesale Grocers' Association et al. Petition for rule to show cause why an attachment for a criminal contempt of court for alleged violation of the terms of a decree, entered October 17, 1911 (see No. 9), should not issue was filed in the District Court at Birmingham, Northern District of Alabama, on February 10, 1913. The association and three individual members were adjudged guilty of contempt of court, and on July 29, 1913, fines aggregating \$5,500 were imposed.

80.

United States v. Board of Trade of the City of Chicago et al. Petition filed February 11, 1913, in the District Court at Chicago, Illinois, attacking rule 33 of the Chicago Board of Trade, by virtue of which it is alleged the price of all corn, oats, wheat, and rye arriving in Chicago at times when the board of trade is not in session is arbitrarily determined. Motion to strike out certain portions of defendants' answer has been argued, and the ruling of the court is awaited.

81.

United States v. The Cleveland Stone Company et al. Petition filed February 12, 1913, in the District Court at Cleveland, Northern District of Ohio, charging defendants with establishing and maintaining a practical monopoly of the stone business.

82.

United States v. The Delaware, Lackawanna & Western Railroad Company and The Delaware, Lackawanna & Western Coal Company. Petition filed February 13, 1913, in the District Court at Trenton, New Jersey, charging defendants with transporting coal in which it had an interest in violation of the commodities clause of the interstate-commerce act, and with entering into an unlawful contract whereby the Coal Company acquired a monopoly of the sale of anthracite coal produced along the line of the Railroad Company, in violation of the antitrust act. The taking of testimony has been completed and brief is being prepared. Expediting certificate filed and case set for hearing on January 27, 1914.

83. *United States v. The McCaskey Register Company et al.* Petition filed February 20, 1913, in the District Court at Cleveland, Northern District of Ohio, charging defendants with conspiring to restrain and monopolize the manufacture and sale of account registers and appliances.
84. *United States v. International Brotherhood of Electrical Workers, Local Unions Nos. 9 and 134, et al.* Petition filed February 24, 1913, in the District Court at Chicago, Northern District of Illinois, seeking to enjoin defendants from interfering with the interstate business of the Postal Telegraph-Cable Company. A temporary injunction was granted and is still in force.
85. *United States v. Corn Products Refining Company et al.* Petition filed March 1, 1913, in the District Court at New York City, charging defendants with monopolizing interstate trade and commerce in corn products, and praying for the dissolution of the combination. Issue joined.
86. *United States v. The American Thread Company et al.* Petition filed March 3, 1913, in the District Court at Trenton, New Jersey, charging defendants with monopolizing the thread industry. Answers of defendants filed September 10, 1913. Issue joined.
87. *United States v. The Burroughs Adding Machine Company et al.* Petition filed March 3, 1913, in the District Court at Detroit, Michigan, alleging that defendants were engaged in a conspiracy to monopolize interstate trade and commerce in adding machines. A consent decree was entered at Detroit on March 3, 1913.
88. *United States v. American Coal Products Company et al.* Petition filed March 3, 1913, in the District Court at New York City, charging defendants with monopolizing the supply of coal tar and restraining the trade of competitors in the purchase of coal tar and in the manufacture and sale of tarred roofing felts, coal-tar

pitch, and other coal-tar products. A consent decree was entered on March 4, 1913.

89.

United States v. Terminal Railroad Association of St. Louis et al. Petition filed March 4, 1913, in the District Court at St. Louis, Eastern District of Missouri, alleging a conspiracy on the part of the members of the St. Louis Coal Traffic Bureau to suppress and eliminate competition in various rates for the transportation of soft coal from the State of Illinois to the city of St. Louis, Missouri.

President Wilson's Administration, March 4, 1913.

[James C. McReynolds, Attorney General, March 4, 1913.]

1.

United States v. The New Departure Manufacturing Company et al. Petition filed May 27, 1913, in the District Court at Rochester, Western District of New York, alleging that defendants entered into a conspiracy and combination and devised a license agreement for the purpose of restraining and monopolizing the manufacture and sale of bicycle and motorcycle parts and coaster brakes. An agreed decree was entered at Rochester on May 27, 1913.

2.

United States v. White et al. Indictment returned June 7, 1913, in the District Court for the Southern District of West Virginia, against 19 members of the United Mine Workers of America, alleging a conspiracy to interfere with interstate commerce in coal mined in West Virginia.

3.

United States v. Eastman Kodak Company et al. Petition filed June 9, 1913, in the District Court at Buffalo, Western District of New York, alleging that defendants have acquired a monopoly of the business of manufacturing, selling, and distributing photographic supplies. Issue joined.

4.

United States v. The Quaker Oats Company et al. Petition filed June 11, 1913, in the District Court at Chicago,

Illinois, alleging combination to restrain and monopolize interstate trade and commerce in oatmeal products and by-products. Issue joined.

5.

United States v. Hippen et al. Indictment returned June 25, 1913, in the District Court for the Western District of Oklahoma against The Oklahoma Brokerage Company and two other corporations and the officers thereof, alleging a conspiracy to restrain and monopolize interstate trade and commerce in fruits and vegetables. Demurrer sustained October 1, 1913.

6.

United States v. Thompson et al. Indictment returned July 1, 1913, in the District Court for the Southern District of New York alleging that the defendants conspired to run a corner in cotton on the New York Cotton Exchange. Defendants entered pleas of nolo contendere in December, 1913, and fines aggregating \$18,000 were assessed.

7.

United States v. American Telephone & Telegraph Company et al. Petition filed July 24, 1913, in the District Court at Portland, Oreg., seeking to destroy a monopoly of the telephone business on the Pacific Coast. Issue joined and taking of testimony on behalf of Government is nearing completion.

8.

United States v. Reading Company et al. (Anthracite coal combination). Petition in equity filed September 2, 1913, in the District Court at Philadelphia, Pa., against a combination consisting of Reading Company and affiliated corporations, charging it with restraining and monopolizing trade in anthracite coal. Issue joined.

9.

United States v. The National Wholesale Jewelers' Association et al. Petition filed November 18, 1913, in the District Court at New York City, charging defendants with conspiring to eliminate all competition—except as between wholesalers or jobbers—for the trade of all classes of retail dealers in jewelry and jewelry products.

10.

United States v. American Can Company et al. Petition filed November 29, 1913, in the District Court at Baltimore, Md., alleging monopolization of the business of making tin cans.

11.

United States v. John P. White et al. Indictment returned December 1, 1913, in the District Court, Pueblo, Colo., charging officials and members of the United Mine Workers of America with monopolizing all diggers of coal and mine laborers and with restraining interstate commerce in coal.

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